

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAY 02 2005

for the

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Michael David Rhonemus

Case Number: 2:01-cr-00012-001

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea

Date of Original Sentence: ~~12/02/1994~~ 07/25/01

Type of Supervision: Supervised Release

Original Offense: Credit Card Fraud, 18 U.S.C. §
1029 (a) (1)

Date Supervision Commenced: 02/04/2005

Original Sentence: Prison - 30 Months; TSR - 36
Months

Date Supervision Expires: 11/29/2005

Revocation: 08/19/2004 Prison - 4 Months; TSR-36
Months-Expiration of TSR 11/29/2005

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 25 You shall abstain from the use of alcohol and illegal controlled substances, and shall submit to urinalysis testing, including Breathalyzer testing, as directed by the supervising probation officer.
- 26 You shall not enter into or remain in any establishment where alcohol is the primary item of sale.
- 27 You shall complete a mental health evaluation and follow any treatment recommendations, including taking prescribed medications, as recommended by the treatment provider. You shall allow reciprocal release of information between the supervising probation officer and treatment provider. You shall contribute to the cost of treatment according to your ability.

CAUSE

On April 15, 2005, Mr. Rhonemus attended one of his scheduled outpatient treatment groups at New Horizons Treatment Center. During this time, the counselor conducted a breath analysis which indicated a reading of .036 percent blood alcohol for Mr. Rhonemus. Mr. Rhonemus admitted to consuming alcohol the night before treatment. Prior to entering outpatient treatment, Mr. Rhonemus signed the rules which prohibit his use of alcohol throughout his treatment period of time.

The Probation Office and treatment provider have already discussed with Mr. Rhonemus the necessity that he abstain from alcohol or any other mood altering substances while in treatment and under supervised release. This was recently reinforced with Mr. Rhonemus after his positive urinalysis result of March 7, 2005 for marijuana. Mr. Rhonemus indicated that based upon his excessive alcohol use he was susceptible to ingesting illicit substances.

Prob 12B

Re: Rhonemus, Michael David

April 29, 2005

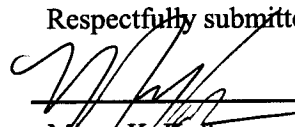
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Mr. Rhonemus has reported continued frustrations with the dissolution of his marriage. Mr. Rhonemus reported he has deflected focus from his own problems by being consumed about his wife's activities. The Probation Office believes that if he were provided mental health services he would be afforded the tools to better address this loss.

If Mr. Rhonemus experiences any more problems with substance use, the Probation Office will be inclined to recommend the offender appear before the Court.

Respectfully submitted,

by


Missy K. Kolbe
U.S. Probation Officer
Date: April 29, 2005

THE COURT ORDERS

- ☒ No Action
☐ The Extension of Supervision as Noted Above
☐ The Modification of Conditions as Noted Above
☐ Other


Signature of Judicial Officer


Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

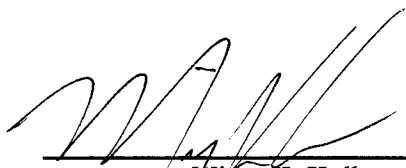
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

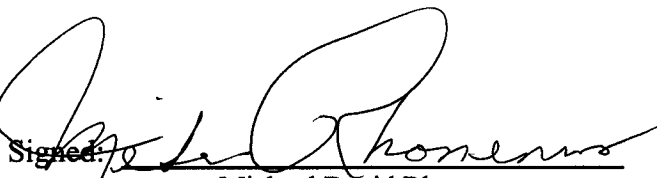
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

- 25 You shall abstain from the *use and possession* of alcohol and illegal controlled substances, and shall submit to urinalysis testing, including Breathalyzer testing, as directed by the supervising probation officer.
- 26 You shall not enter into or remain in any establishment where alcohol is the primary item of sale.
- 27 You shall complete a mental health evaluation and follow any treatment recommendations, including taking prescribed medications, as recommended by the treatment provider. You shall allow reciprocal release of information between the supervising probation officer and treatment provider. You shall contribute to the cost of treatment according to your ability.

Witness:


Missy K. Kolbe
U.S. Probation Officer


Signed: Michael David Rhonemus
Probationer or Supervised Releasee

April 22, 2005

Date